

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CV- 00040 HRL
)	
Petitioner,)	XXXXXXX
)	ORDER TO SHOW CAUSE RE
v.)	ENFORCEMENT OF INTERNAL
)	<u>REVENUE SERVICE SUMMONSES</u>
JOSE HERNANDEZ,)	
)	
Respondent.)	

Good cause having been shown by the petitioner upon its petition filed in the above-entitled proceeding on January 5, 2017, it is hereby:

ORDERED that respondent JOSE HERNANDEZ appear before this Court on the 21st day of March, 2017, at 10:00 a.m., in Courtroom No. 2, 5th Floor, United States District Court, 280 South First Street, San Jose, California, and then and there show cause, if any, why respondent should not be compelled to appear and provide documents and testimony as required by the summonses heretofore served upon respondent as alleged and set forth in particular in said petition; and it is further

ORDERED that a copy of this Order to Show Cause, together with a copy of the aforesaid petition, be served upon said respondent in accordance with Rule 4 of the Federal Rules of Civil Procedure at least thirty-five (35) days before the return date of this Order above specified; and it is further:

1 ORDERED that within twenty-one (21) days before the return date of this Order, respondent
2 may file and serve a written response to the petition, supported by appropriate affidavit(s) or
3 declaration(s) in conformance with 28 U.S.C. § 1746, as well as any motion respondent desire to make,
4 that the petitioner may file and serve a written reply to such response, if any, within fourteen (14) days
5 before the return date of this Order; that all motions and issues raised by the pleadings will be
6 considered on the return date of this Order, and only those issues raised by motion or brought into
7 controversy by the responsive pleadings and supported by affidavit(s) or declaration(s) will be
8 considered at the return of this Order, and any uncontested allegation in the petition will be considered
9 admitted.

10 ORDERED this 30th day of January, 2017, at San Jose, California.

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13 UNITED STATES XXXXX JUDGE
14 MAGISTRATE

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